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8 IN THE UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$24,900.00
IN U.S. CURRENCY,

15

16 Defendant.

2:21-MC-00264-MCE-AC

STIPULATION AND ORDER EXTENDING TIME
FOR FILING A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN INDICTMENT
ALLEGING FORFEITURE

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18 It is hereby stipulated by and between the United States of America and potential claimant
19 Christopher Fluke (“claimant”), by and through their respective counsel, as follows:

20 1. On or about August 4, 2021, claimant filed a claim in the administrative forfeiture
21 proceeding with the United States Postal Inspection Service (“USPIS”) with respect to the Approximately
22 \$24,900.00 in U.S. Currency (hereafter “defendant currency”), which were seized on May 25, 2021.

23 2. The USPIS has sent the written notice of intent to forfeit required by 18 U.S.C. §
24 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a claim to the
25 defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant has filed a claim
26 to the defendant currency as required by law in the administrative forfeiture proceeding.

27 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
28 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant currency

1 is subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture
2 proceeding, unless the court extends the deadline for good cause shown or by agreement of the parties.
3 That deadline was November 2, 2021.

4 4. By Stipulation and Order filed November 8, 2021, the parties stipulated to extend to
5 December 30, 2021, the time in which the United States is required to file a civil complaint for forfeiture
6 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject
7 to forfeiture.

8 5. By Stipulation and Order filed January 5, 2022, the parties stipulated to extend to February
9 28, 2022, the time in which the United States is required to file a civil complaint for forfeiture against the
10 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
11 forfeiture.

12 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to March
13 30, 2022, the time in which the United States is required to file a civil complaint for forfeiture against the
14 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
15 forfeiture.

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1 7. Accordingly, the parties agree that the deadline by which the United States shall be required
2 to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment alleging that
3 the defendant currency is subject to forfeiture shall be extended to March 30, 2022.

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5 Dated: 2/23/2022

PHILLIP A. TALBERT
United States Attorney

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7 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
8 Assistant United States Attorney

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10 Dated: 2/18/2022

11 /s/ Carolyn Hagin Emison
CAROLYN HAGIN EMISON
12 Attorney for potential claimant
Christopher Fluke
(Signature authorized by email)

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14 IT IS SO ORDERED.

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16 Dated: February 28, 2022

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MORRISON C. ENGLAND, JR.
19 SENIOR UNITED STATES DISTRICT JUDGE